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Attorneys for Defendant
ROY ASHER, in his individual capacity

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

MARK N. BEGLEY,

Plaintiff,

vs.

COUNTY OF KAUAI, KAUAI
POLICE DEPARTMENT; DARRYL
PERRY; ROY ASHER; MICHAEL
CONTRADES; AND DOE
DEFENDANTS 16-100,

Defendants.

CIVIL NO. 1:16-cv-00350-LEK-RLP
(Other Civil Rights)

DEFENDANT ROY ASHER'S, IN HIS
INDIVIDUAL CAPACITY, MOTION
TO STRIKE (1) PLAINTIFF'S
MEMORANDUM IN OPPOSITION
TO [312] DEFENDANT ROY
ASHER'S, IN HIS INDIVIDUAL
CAPACITY, MOTION FOR
SUMMARY JUDGMENT AS TO
PLAINTIFF'S SECOND AMENDED
COMPLAINT, FILED FEBRUARY
15, 2018 AND (2) PLAINTIFF'S
CONCISE COUNTERSTATEMENT
OF MATERIAL FACTS IN SUPPORT
OF HIS MEMORANDUM IN
OPPOSITION TO [312] DEFENDANT
ROY ASHER'S, IN HIS INDIVIDUAL
CAPACITY, MOTION FOR

SUMMARY JUDGMENT [ECF NOS. 394-395]; MEMORANDUM IN SUPPORT OF MOTION;
CERTIFICATE OF SERVICE

Trial date: May 6, 2019

**DEFENDANT ROY ASHER’S, IN HIS INDIVIDUAL CAPACITY,
MOTION TO STRIKE (1) PLAINTIFF’S MEMORANDUM IN
OPPOSITION TO [312] DEFENDANT ROY ASHER’S, IN HIS
INDIVIDUAL CAPACITY, MOTION FOR SUMMARY JUDGMENT AS
TO PLAINTIFF’S SECOND AMENDED COMPLAINT, FILED
FEBRUARY 15, 2018 AND (2) PLAINTIFF’S CONCISE
COUNTERSTATEMENT OF MATERIAL FACTS IN SUPPORT OF HIS
MEMORANDUM IN OPPOSITION TO [312] DEFENDANT ROY
ASHER’S, IN HIS INDIVIDUAL CAPACITY, MOTION FOR SUMMARY
JUDGMENT [ECF NOS. 394-395]**

Defendant ROY ASHER, in his individual capacity, by and through his attorneys, Kobayashi Sugita & Goda, LLP, hereby moves this Honorable Court to strike (1) Plaintiff’s Memorandum in Opposition to Defendant Roy Asher’s, in his individual capacity, Motion for Summary Judgment as to Plaintiff’s Second Amended Complaint, Filed February 15, 2018 and (2) Plaintiff’s Concise Counterstatement of Material Facts in Support of his Memorandum in Opposition to [312] Defendant Roy Asher’s, in his individual capacity, Motion for Summary Judgment [ECF Nos. 394-395].

This Motion is made pursuant to Rules 7, 11, and 12 of the Federal Rules of Civil Procedure, and Rules 7.4 and 56.1 of the Local Rules of Practice of the

United States District Court for the District of Hawaii, and is based upon the accompanying Memorandum in Support of Motion, such further evidence and argument as may be subsequently presented to the Court, and the entire record and files herein.

DATED: Honolulu, Hawaii, October 31, 2018.

/s/ Craig K. Shikuma

CRAIG K. SHIKUMA

JESSE D. FRANKLIN-MURDOCK

Attorneys for Defendant

ROY ASHER, in his individual capacity